



**Phillips Lytle** LLP

Via CMECF

Hon. John L. Sinatra, Jr.  
United States District Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202-3350

September 29, 2023

Re: *Hardaway et al. v. Nigrelli et al.*; Case No. 1:22-cv-00771-JLS; Joint Status Report

Dear Judge Sinatra:

This 60-day joint status report is submitted on behalf of all parties per this Court's Text Order, issued January 30, 2023 (Dkt. 69). The Second Circuit has not issued its decision on the appeal of this Court's Decision and Order (Dkt. 52).

Respectfully submitted,

Phillips Lytle LLP

By 

Nicolas J. Rotsko

cc: Counsel of record (via CMECF)

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